

Mail Stop RCE

Modified PTO/5B/30 (06-00)

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| REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Subsection (b) of 35 U.S.C. § 132, effective on May 28, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA). | Application Number | 10/018,467 |
| | Filing Date | April 4, 2002 |
| | First Named Inventor | BARBER |
| | Group Art Unit | 1623 |
| | Examiner Name | Peselev, E. |
| | Attorney Docket Number | 39-252 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 28, 2000. If the above-identified application was filed prior to May 28, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/5B/20) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
 (Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment Under Rule 116/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other One Declaration by Dr. Barber and One Declaration by Drs. Barber and Mordt

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ Applicant claims "small entity" status.
- b. ☒ Fees to be debited are calculated below:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$ 770.00
- ii. ☒ Petition is made to extend the due date 3 months (less _____ months previously paid) \$ 950.00
- iii. ☐ Other \$ _____
- c. ☐ Check in the amount of \$ _____ enclosed
- d. ☐ Payment by credit card (Form PTO-2038 enclosed)
- e. ☒ The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to Deposit Account No. 14-1140

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|----------------|-----------------------------------|---------------|
| Name (Print Type) | Mary J. Wilson | Registration No. (Attorney/Agent) | 32,855 |
| Signature | Mary J. Wilson | Date | July 19, 2004 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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|-------------------|----------------|
| Name (Print Type) | MARY J. WILSON |
| Signature | Mary J. Wilson |
| Date | July 19, 2004 |

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